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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/681,563
Filing Date	10/6/2003
First Named Inventor	Barker
Art Unit	1745
Examiner Name	to be assigned
Total Number of Pages in This Submission: 14	Attorney Docket Number: VT-1875/CON2

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) ____
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:
  Self-addressed, return postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael Ross, Reg. No. 45,057
Signature	
Date	March 3, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Sharon Lango		
Signature	Sharon Lango	Date	March 3, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

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OIPE JC16 MAR 0 8 2004 PAT & TRADEMARK OFFICE

Attorney Docket: VT-1875/CON2 PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 10/681,563

Filing Date: 10/6/2003

Applicant: Barker et al.

Group Art Unit: 1745

Examiner: To be assigned

Title: LITHIUM CONTAINING PHOSPHATES, METHOD OF PREPARATION, AND USES THEREOF

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 3, 2004.

Sharon Lango

Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §§1.56, 1.97(c) and 1.98, Applicant herewith submits an Information Disclosure Statement for consideration by the Examiner.

1. LIST OF PATENTS, PUBLICATION AND OTHER INFORMATION
The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications, if any) are as set forth in the attached form PTO-1449.

2. COPIES

__X__ Submitted herewith is a legible copy of (i) each U.S. Patent Application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawings of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

__X__ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number	U.S. Filing Date
09/776,843	2/5/2001
09/204,944	12/3/1998
08/717,979	9/23/1996

____ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

____ A copy of an IDS submitted to the U.S. Patent Office using the ePAVE software.

3. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

__X__ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

____ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3):

____ See the attached foreign search report.
____ English translations are provided for: See Form PTO-1449
____ Other: English Abstracts Provided For: See Form PTO-1449

____ The following additional information is provided for the Examiner's consideration.

4. CROSS REFERENCE TO RELATED APPLICATION(S)

__X__ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. §122.

Serial No.	Filing Date	Art Unit
09/776,843	2/5/2001	1745

5. THIS IDS IS BEING FILED UNDER

__X__ 37 C.F.R. § 1.97(b): (check only one box)

____ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d) (37 C.F.R. §1.97(B)(1)). No fee or certification is required.

____ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. §1.97(b)(2)). No fee or certification is required.

__X__ Before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(B)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. §1.97(c) and see the certification under 37 C.F.R. §1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of $180.00 as required by 37 C.F.R. §1.17(p).

____ Before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. No fee or certification is required.

____ 37 C.F.R. §1.97(c): (check only one box)

• before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution.

____ No certification: therefore, a fee in the amount of $180.00 is required by 37 C.F.R. § 1.17(p).

____ See the certification below. No fee is required.

____ 37 C.F.R. § 1.97(d):

• after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

____ See the certification below. A fee in the amount of $180.00 is required by 37 C.F.R. § 1.17(p).

6. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

____ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)).

_X_ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

____ some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

7. PAYMENT OF FEES (check only one box)

____ A check in the amount of $180.00 is enclosed for the above-identified fee.

____ Please charge Deposit Account No. 22-0100 in the amount of $180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

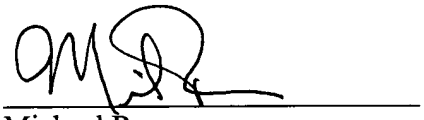
If it is determined that this IDS has been filed under the wrong rule, the PTO is requester to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 22-0100.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 22-0100.

Should anything further be required, the Examiner is respectfully requested to telephone the undersigned at 702-558-1071.

Respectfully submitted,

Dated: March 3, 2004

By: 

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OMB 0651-0031

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. VT-1875/CON2	SERIAL NO. 10/681,563
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT Barker et.al.	
Sheet Page 1 of 8	FILING DATE 10/6/2003	GROUP 1745

OIPE JC#64 MAR 0 8 2004 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REF. NO.	DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	LOCATION WHERE RELEVANT PASSAGES OR FIGURES APPEAR
	1*	US 3,728,442 B1	4/17/1973	Pakhomov et al.	
	2*	US 3,736,184 B1	5/29/1973	Dey et al.	
	3*	US 4,009,092 B1	2/22/1977	Taylor	
	4*	US 4,049,891 B1	9/20/1977	Hong et al.	
	5*	US 4,061,711 B1	12/6/1977	Morgan et al.	
	6*	US 4,119,707 B1	10/10/1978	Thome et al.	
	7*	US 4,194,062 B1	3/18/1980	Carides et al.	
	8*	US 4,260,668 B1	4/7/1981	Lecerf et al.	
	9*	US 4,434,216 B1	2/28/1984	Joshi et al.	
	10*	US 4,464,447 B1	8/7/1984	Lazzari et al.	
	11*	US 4,512,905 B1	4/23/1985	Clearfield et al.	
	12*	US 4,668,595 B1	5/26/1987	Yoshino et al.	
	13*	US 4,683,181 B1	7/28/1987	Armand et al.	
	14*	US 4,690,877 B1	9/1/1987	Gabano et al.	
	15*	US 4,707,422 B1	11/17/1987	de Neufville et al.	
	16*	US 4,792,504 B1	12/20/1988	Schwab et al.	
	17*	US 4,828,834 B1	5/9/1989	Nagaura et al.	
	18*	US 4,830,939 B1	5/16/1989	Lee et al.	

* Cited in U.S. Serial No. 09/776,843 (pending), U.S. Serial No. 09/204,944 (now Patent No. 6,203,946) and/or U.S. Serial No. 08/717,979 (now Patent No. 5,871,866).

EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. VT-1875/CON2	SERIAL NO. 10/681,563
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT Barker et al.	
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	19*	US 4,935,317 B1	6/19/1990	Fauteux et al.	
	20*	US 4,985,317 B1	1/15/1991	Adachi et al.	
	21*	US 4,990,413 B1	2/5/1991	Lee et al.	
	22*	US 5,037,712 B1	8/6/1991	Shackle et al.	
	23*	US 5,130,211 B1	7/14/1992	Wilkinson et al.	
	24*	US 5,232,794 B1	8/3/1993	Krumpelt et al.	
	25*	US 5,262,253 B1	11/16/1993	Golovin	
	26*	US 5,262,548 B1	11/16/1993	Barone	
	27*	US 5,296,436 B1	3/22/1994	Bortinger	
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	29*	US 5,418,090 B1	5/23/1995	Koksbang et al.	
	30*	US 5,425,932 B1	6/20/1995	Tarascon	
	31*	US 5,435,054 B1	7/25/1995	Tonder et al.	
	32*	US 5,514,490 B1	5/7/1996	Chen et al.	
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	35*	US 5,910,382 B1	6/8/1999	Goodenough et al.	
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* Cited in U.S. Serial No. 09/776,843 (pending), U.S. Serial No. 09/204,944 (now Patent No. 6,203,946) and/or U.S. Serial No. 08/717,979 (now Patent No. 5,871,866).

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Sheet Page 3 of 8	FILING DATE 10/6/2003	GROUP 1745

FOREIGN PATENT DOCUMENTS

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	38*	CA 2,200,998 A1	9/25/1998	Armand et al.		
	39*	EP 0 680 106 A1	11/2/1995	Takada et al.		
	40*	EP 0 857 699 A2	8/12/1998	Jie et al.		
	41*	EP 0 875 951 A1	11/4/1998	Takada et al.		
	42*	EP 1 049 182 A2	11/2/2000	Ravet et al.		
	43*	JP 61-263069 A	11/21/1986	Yasou et al.		
	44*	JP 5-299101 A2	11/12/1993	Shoji et al.		
	45*	JP 6-251764 A2	9/9/1994	Tanaka et al.		
	46*	JP 10-003818 A2	1/6/1998	Takada et al.		
	47*	JP 10-144349 A2	5/29/1998	Kamino et al.		
	48*	JP 10-144292 A2	5/29/1998	Fujimoto et al.		
	49*	JP 10-208730 A	8/7/1998	Mikito et al.		
	50*	JP 11-045725 A2	2/16/1999	Kamino et al.		
	51*	JP 2000-086215 A2	3/28/2000	Sato et al.		
	52*	JP 2000-128514 A2	5/9/2000	Adachi et al.		
	53*	JP 2000-173654 A2	6/23/2000	Kaburagi et al.		
	54*	JP 2000-200621 A2	7/18/2000	Kobayashi et al.		
	55*	JP 2001-093536 A2	4/6/2001	Kamimura et al.		
	56*	WO 97/40541 A1	10/30/1997	Goodenough et al.		

* Cited in U.S. Serial No. 09/776,843 (pending), U.S. Serial No. 09/204,944 (now Patent No. 6,203,946) and/or U.S. Serial No. 08/717,979 (now Patent No. 5,871,866).

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	57*	WO 98/12761 A1	3/26/1998	Barker et al.		
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OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER INITIALS	REF. NO.	
	59*	Kubo, et al., "Synthesis and Electrochemical Properties for $LiNiO_2$ Substituted By Other Elements", Journal of Power Sources 68, (1997), pp. 553-557.
	60*	M.T. Averbuch-Pouchot, "Topics in Phosphate Chemistry", World Scientific Publishing Co., (1996), 5.1.9.2; 5.1.10; 5.4.4.2 – 5.4.4.4.
	61*	A.K. Pahdi, et al., "Tuning the Position of the Redox Couples in Materials with NASICON Structure by Anionic Substitution", Journal of the Electrochemical Society, Vol. 145, No. 5, (May 1998), pp. 1518-1520.
	62*	C. Masquelier, et al., "New Cathode Materials for Rechargeable Lithium Batteries: The 3-D Framework Structures $Li_3Fe_2(XO_4)_3$ (X=P, As)", Journal of Solid State Chemistry 135, (1998), pp. 228-234.
	63*	A.K. Phadi, et al., "Effect of Structure on the Fe_3+/Fe_2+ Redox Couple in Iron Phosphates", Journal of the Electrochemical Society, Vol. 144, No. 5, (May 1997), pp. 1609-1613.
	64*	A. Martinez-Juarez, et al., "Relationship Between Activation Energy and Bottleneck Size for Li+Ion Conduction in NASICON Materials of Composition $LiMM'(PO_4)_3$; M,M'=Ge,Ti,Sn,Hf", J. Phys. Chem. B., Vol. 102, No. 2, (1998) pp. 372-375.
	65*	G.P. Butt, et al., "Lithium Metal Phosphate Cathodes for Li Secondary Batteries", J. Aust. Ceramic Society., vol. 34[1] pp. 60-65, (1998).
	66*	H. Ohkawa et al., "Improvement of Discharge Capacity of β-$Fe_2(SO_4)_3$-type $Li_3V_2(PO_4)_3$ By Stabilizing High Temperature Orthorhombic Phase at Room Temperature", Chem. Lett. (1999), (10), pp. 1017-1018. ABSTRACT ONLY
	67*	M. Sato, et al., "Lithium Intercalation and Cathode Performance of $Li_2CrTi(PO_4)_3$, Denki Kagaku oyobi Kogyo Butsuri Kagaku (1998), 66(12), pp. 1236-1240. ABSTRACT ONLY

* Cited in U.S. Serial No. 09/776,843 (pending), U.S. Serial No. 09/204,944 (now Patent No. 6,203,946) and/or U.S. Serial No. 08/717,979 (now Patent No. 5,871,866).

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT Barker et.al.	
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	68*	T. Kasuga, et al., "Microporous Materials With An Integrated Skeleton of $AgTi_2(PO_4)_3$ and $Ti(HPO_4)_2 \cdot 2H_2O$ Crystals", Chem. Mater. (1998), 10 (11), 3562-3567. ABSTRACT ONLY
	69*	S. Okada, et al., "Characteristics of 3D Framework Cathodes With $(XO_4)^{n-}$ polyanions", Prog. Batteries Battery Mater. (1997), 16, pp. 302-308. ABSTRACT ONLY
	70*	C. Masquelier, et al., "New Cathode Materials For Rechargeable Lithium Batteries: The 3D Framework Structures $Li_3Fe_2(XO_4)_3$ (X=P, As)", J. Solid State Chem. (1998), 135(2), pp. 228-234. ABSTRACT ONLY
	71*	M. Sugantha et al., "Li Intercalation Studies On $AFeMP_3O_{12}$", Solid State Ionics (1997), 99(1,2), pp. 79-84. ABSTRACT ONLY
	72*	C. Masquelier, et al., "$Li_3Fe_2(XO_4)_3$, (X=P, As): Three Framework Structures As Hosts For The Reversible Insertion of Lithium", Proc. Power Sources Conf. (1996), 37th, pp. 188-191. ABSTRACT ONLY
	73*	K. Rangan, et al., "AMVMIII $(PO_4)_3$: New Mixed-Metal Phosphates Having NASICON And Related Structures", Inorg. Chem. (1995), 34(7), pp. 1969-72. ABSTRACT ONLY
	74*	I. Bussereau, et al., "Lithium Intercalation in Copper Titanium Phosphate $(Cu(II)_{0.5}Ti_2(PO_4)_3)$, J. Alloys Compd. (1992), 188, pp. 110-12. ABSTRACT ONLY
	75*	H. Hosono, et al., "Porous Glass-Ceramics With Skeleton of Two-Dimensional Layered Crystal Titanium Hydrogen Phosphate Dihydrate $(Ti(HPO_4)_{2.2}H_2O)$", J. Non-Cryst. Solids (1992), 139(1), pp. 86-9. ABSTRACT ONLY
	76*	A. Clearfield, et al., "Preparation of Ammonium Dizirconium Triphosphate and Hydrogen Dizirconium Triphosphate". Material Resource Bulletin (1984), 19(2), pp. 219-26. ABSTRACT ONLY
	77*	Padhi, et al., "Mapping of Transition Metal Redox Energies in Phosphates with NASICON Structure by Lithium Intercalation", Journal of the Electrochemical Society (1997), 144(8), pp. 2581-2586. ABSTRACT ONLY (corresponds to XP 2048304)
	78*	Cotton and Wilkinson, "Advanced Inorganic Chemistry, 3rd Edition, Interscience Publishers, pp. 864-868. (1972).

* Cited in U.S. Serial No. 09/776,843 (pending), U.S. Serial No. 09/204,944 (now Patent No. 6,203,946) and/or U.S. Serial No. 08/717,979 (now Patent No. 5,871,866).

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT Barker et al.	
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	79*	Linden, "Handbook of Batteries, 2nd Edition", McGraw-Hill, pp. 36.4-36.9 (1995).
	80*	Gaubicher, et al., "Rhombohedral Form of $Li_3V_2(PO_4)_3$ as a Cathode in Li-Ion Batteries", Chem. Mater. (2000), 12(11), pp. 3240-3242. ABSTRACT ONLY
	81*	Sato, et. Al., "Enhancement of Discharge Capacity of $Li_3V_2(PO_4)_3$ by Stabilizing The Orthorhombic Phase At Room Temperature", Solid State Ionics (2000), 135 (1-4), pp. 137-142. ABSTRACT ONLY
	82*	Delmas, et al., "The Chemical Short Circuit Method ...", Mat. Res. Bull., Vol. 23, pp. 65-72 (month not available), 1988.
	83*	Okada, et al., "$Fe_2(SO_4)_3$ As A Cathode Material For Rechargeable Lithium Batteries", Proc. 36th Power Sources Conference at Cherry Hill, New Jersey (June 1994).
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